

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ROBERT ALAN FRIDAY,)
AIS #00289231,)
Petitioner,)
vs.) CIV. ACT. NO. 1:22-cv-274-TFM-N
PATRICE JONES, Warden III, Bullock)
Correctional Facility,)
Respondent.)

MEMORANDUM OPINION AND ORDER

On July 9, 2024, the Magistrate Judge entered a report and recommendation which recommends this petition for a writ of habeas corpus under 28 U.S.C. § 2241 (Doc. 1) be dismissed without prejudice as moot and that a certificate of appealability be denied. *See* Doc. 10. No objections were filed.

The Court notes that the mail was returned as undeliverable noting he was no longer at Bullock Correctional Facility. *See* Doc. 11. A search for Petitioner by AIS and name on the Alabama Department of Corrections Inmate Search returned with no results which seemingly indicates he is no longer in their custody. *See* <https://doc.alabama.gov/InmateInfo> (last accessed August 15, 2024). This was also noted by the Magistrate Judge in the Report and Recommendation and made the basis for the recommendation that the petition be denied as moot. *See* Doc. 10 at 2-3.

Accordingly, after due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge is **ADOPTED** and this petition is **DISMISSED without prejudice as moot**.

The Court also determines that Petitioner is not entitled to a Certificate of Appealability and therefore, is not entitled to appeal *in forma pauperis*.

A separate judgment will issue pursuant to Fed. R. Civ. P. 58.

DONE and **ORDERED** this 15th day of August, 2024.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE